

## Fair Political Practices Commission

### Memorandum

**To:** Chairman Johnson, Commissioners Hodson, Huguenin, Leidigh, & Remy

**From:** William J. Lenkeit, Senior Commission Counsel  
Scott Hallabrin, General Counsel

**Subject:** Statement of Organization Filings –Adoption of Regulation 18410 and Amendment to Regulation 18402

**Date:** March 19, 2009

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**Proposed Commission Action and Staff Recommendation:** Approve for adoption Regulation 18410 concerning filing requirements for Statements of Organization and amendment of Regulation 18402 relating to committee names.

**Status of Proposed Regulations:** This project proposes to add new Regulation 18410 requiring the Secretary of State to reject a Statement of Organization (Form 410) if it does not conform with the requirements set forth in the regulation. It also proposes to amend Regulation 18402 concerning committee names listed on a Statement of Organization to clarify which committee shall qualify for an identification number under that name when two or more committees list the same name.

**Reason for Proposed Action:** The Political Reform Act requires any committee as defined in Section 82013(a) to file a Statement of Organization with the Secretary of State within 10 days after it has qualified as a committee (Section 84101) and to file amendments to the Statement of Organization within 10 days to reflect committee changes (Section 84103). In addition, Section 84101(b) and (c) require recipient committees to file Statements of Organization within 24 hours after qualifying if qualification occurs during the late filing period before an election. The information required to be provided in the Statement of Organization is specified in Section 84102 and includes such information as the name, street address, and telephone number of the committee and its treasurer and principal officers, committee sponsors, and other information describing the nature and purpose of the committee.

Proposed Regulation 18410 requires the Secretary of State to reject any committee's Statement of Organization if it does not contain certain information required under Section 84102 as identified in subdivision (a) of the regulation. Additionally, it would provide that a committee has violated the provisions of the Act if it does not, within the statutorily-required period, file a completed Statement of Organization with the Secretary of State that is accepted for filing.

The proposed amendment to Regulation 18402 clarifies how the Secretary of State shall determine which committee's Statement of Organization shall be accepted and issued an identification number under the name listed when two or more committees file under the same name.